



State of Utah

Department of Environmental Quality

Richard W. Sprott.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, *Vice-Chair*
David F. Echols
Darrell H. Mensel
LeLand J. Myers
Richard W. Sprott
Jay Ivan Olsen
Gregory L. Rowley
Steven P. Simpson
Merritt K. Frey
Daniel C. Snarr
Phil Wright
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MINUTES

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

UTAH WATER QUALITY BOARD

168 North 1950 West Room 101

Salt Lake City, Utah 84116

Thursday August 7, 2008

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Jay Olsen
Leland Myers	Steve Simpson
Gregory Rowley	Dave Echols
Merritt Frey	Rick Sprott
Phil Wright	Dan Snarr

ABSENT: Darrel Mensel, and Joe Piccolo

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, Jen Robinson, John Whitehead, Leah Ann Lamb, John Mackey, Shelly Andrews, Carl Adams, Jeff Studenka, Dave Wham, Ed Hickey, Kim Shelley, John Cook, Judy Etherington, Rob Herbert, Paul Krauth,

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Jerry Thompson	Davis County
Christina Osborn	JUB Engineers
Paulina Flint	White City Water District
Darrel Dixon	Stantec
Barry Nash	The trust for public lands
Dustin Matsumori	George K. Baum & Co.
Neil Stack	Salt Lake County
Natalie Rees	Salt Lake County
Paul Ashton	WCWID
Janae Wallace	Utah Geological Survey
Mike Luers	SBWRD
Nicholas Von Stechtez	Stantec

Vice-Chair Doughty called the Board meeting to order at 9:35 a.m. She welcomed those in attendance and invited the members of the audience to introduce themselves.

APPROVAL OF MINUTES OF THE JUNE 20, 2008 MEETING

Mr. Myers noted a few corrections to the minutes, which included the incorrect date of the previous Board meeting and spelling of Mr. Olsen's and Ms. Doughty's names.

Motion: **It was moved by Mr. Echols and seconded by Mr. Rowley to approve the minutes of the June 20, 2008 Board. The motion was unanimously approved with the noted corrections.**

Executive Secretary's Report: Mr. Baker told the Board 1) this was the first week of working the new mandated work schedule of 4 days, 10 hours a day. The new schedule will be in effect one year and then the Governor will re-evaluate whether to continue it or not. Staff seems to be adjusting. 2) Resulting from the new work schedule all future Board meetings will occur on the fourth Wednesday of each month, with the exception of those out-of-town trips. 3) ASIWPCA has put out a "Call for Change paper, regarding the EPA/State partnerships and 5) CAFO Strategy is now in its 8th year and has been a monumental success. The strategy is due to run out at the end of this year and DWQ is working with its agricultural partners to update it.

RULEMAKING

Request to adopt changes to R317-8-8 Pretreatment Program: Ms. Robinson presented to the Board a request to adopt changes to the *R317-8-8 Pretreatment Program*. The proposed rule was approved for public notice by the Water Quality Board at the May 16, 2008 meeting. The one month public notice period ended on July 31, 2008. No comments were received on the proposed rule. Staff, therefore, requests approval of R317-8-8, as originally presented to the Board.

Motion: **It was moved by Mr. Myers to approve staff's recommendation to approve changes to R317-8-8. The motion was seconded by Ms. Frey and was unanimously approved.**

GUEST PRESENTATION:

"Is Your Effluent Under the Influence of Prozac"? Mike Luers from SBWRD gave a presentation of the affects on the water we consume when prescription drugs have been flushed down the toilets.

NON POINT SOURCE ITEMS:

Financial Status Report: Ms. Andrews presented the NPS Financial Tracking Report for fiscal year 2008 and the current balances for fiscal year 2009. Those presented include South Valley Water Reclamation Facility and the South Utah Valley Municipal Water Association.

Proposed NPS Projects: Ms. Andrews presented to the Water Quality Board the Nonpoint Source Projects funded through SVWRF and SUVMWA. These projects have been identified as part of an overall plan for the Jordan River and the Provo River Watersheds and include data collection and preparation of a watershed model. The total cost of the SVWRF projects is approximately \$2,723,350 with \$1,461,456 requested as match funding from the SVWRF/NPS account. The projects are listed in order of priority. The total budget for the Utah Lake Study is \$104,784 from the SUVMWA account. The overall strategy for the watersheds is to improve water quality and stream health. Participating in the discussion were Carl Adams and Dave Wham from the Division of Water Quality and Natalee Reese, Neil Stack with Salt Lake County and Nicholas Von Stachtez with Stuntec Engineering.

OTHER BUSINESS:

Request to conduct Public Hearing for Salt Lake Valley Aquifer Classification: Mr. Hickey explained to the Board that in accordance with provisions of R317-6-5, the White City Water Improvement District (WCWID) has submitted a petition to the Utah Water Quality Board to classify the ground water in the basin-fill aquifer in Salt Lake County. The petition was prepared for WCWID by the Utah Geological Survey and was based on ground water quality data collected by the Utah Geological Survey, the USGS, and others.

Motion: **It was moved by Mr. Myers to approve staff's request to conduct Public Hearing for Salt Lake Valley Aquifer Classification. The motion was seconded by Mr. Olsen and was unanimously approved.**

DWQ Fee Increases: Mr. Whitehead gave the Board an overview of proposed fee increases that are under consideration for the Division of Water Quality. The Division's fee schedules for the UPDES, Groundwater, and Operator Certification programs have not been changed significantly since 1990, 2000, and 1998 respectively and thus have not kept pace with cost increases in travel, salaries and other administrative areas. EPA is promulgating a fee incentive rule which will "reward" states for implementing fee-based NPDES programs. Utah's current NPDES fee revenues of \$302,000 are only 20% of program costs. This is far removed from the minimum acceptable target OMB will propose. Utah stands to lose federal funding for Clean Water Act Programs as a result. Staff indicated that no fee increases will be purposed until FY 2011.

Economic Impacts from Potential Statewide Nutrient Discharge Standards Recommended Study: Mr. Mackey explained to the Board that the Division is proposing to commission an independent evaluation of the potential economic impacts that could result from the promulgation of statewide or national nutrient discharge standards. The focus of the proposed study would be to determine the financial impacts on each wastewater treatment facility currently discharging to surface waters of the State and the aggregate impacts in the State if new permit requirements to control nutrient pollution were employed. We have received statements of qualifications from Utah engineering companies. Final award of the contract will be contingent on approval of the study and its funding by the Water Quality Board.

NEXT MEETING:

Tuesday, September 16, 2008 at the Heritage Theater & Festival Hall-Upper Floor, 105 North 100 East, Cedar City, UT. to begin at 1:00 P.M.

Joe Piccolo, Chairman
Utah Water Quality Board